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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION SIX

THE PEOPLE,

Plaintiff and Respondent,

v.

BENNY MENDEZ LOPEZ,

Defendant and Appellant.

2d Crim. No. B301666
(Super. Ct. No. CR47771C)
(Ventura County)

Benny Mendez Lopez moved to modify his sentence imposing a \$10,000 restitution fine pursuant to Penal Code section 1202.4. Lopez made the motion on the ground that the trial court failed to find that he had the ability to pay. He argued that the fine should be reduced to the minimum \$200 and that he be given credit for the \$62 the prison has collected from him.

The trial court denied the motion, finding that the fine could be paid from prison wages (citing *People v. Frye* (1994) 21 Cal.App.4th 1483, 1487); that Lopez waived his right to contest the fine by not objecting at the time it was imposed; and that the fine was authorized as being within the statutory range.

Lopez appealed.

We appointed counsel to represent Lopez in this appeal. After examining the record, she filed a brief raising no issues.

On February 18, 2020, we advised Lopez by mail that he had 30 days within which to personally submit any contentions or issues that he wished to raise on appeal. We received no reply.

We have reviewed the entire record and are satisfied that Lopez's attorney has fully complied with her responsibilities and that no arguable issue exists. (*People v. Wende* (1979) 25 Cal.3d 436, 441.)

The judgment is affirmed.

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GILBERT, P. J.

We concur:

YEGAN, J.

PERREN, J.

Bruce A. Young, Judge

Superior Court County of Ventura

Richard B. Lennon and Suzan E. Hier, under appointment
by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.